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THE

CHARTER AND BY-LAWS

OF THE

Church of St. James the Less

PHILADELPHIA

TOGETHER WITH THE

OFFICERS OF THE CORPORATION

1918

LASHER PRINT
PHILADELPHIA

OFFICERS

RECTOR
REV. EDWARD RITCHIE
Rectory, Falls of Schuylkill

RECTOR'S WARDEN
ROBERT S. SMITH

ACCOUNTING WARDEN
FRANCIS A. LEWIS
523 Chestnut Street

SECRETARY
SAMUEL TOBIAS WAGNER
School House Lane, Germantown

VESTRYMEN

FRANCIS A. LEWIS	CLEMENT B. NEWBOLD
R. EMOTT HARE	JAMES LOGAN FISHER
ROBERT S. SMITH	JOHN WAGNER
SAMUEL T. WAGNER	THOMAS J. JEFFRIES
C. S. W. PACKARD	WILSON CATHERWOOD

SIDNEY W. KEITH

CHARTER

Whereas, The following-named persons, citizens of this Commonwealth, viz: Rev. H. J. Morton, D.D., William F. Griffitts, Cornelius S. Smith, Dr. Charles Treichel, George Blight, James C. Kempton, John R. Wilmer, George Helmuth, and Robert Ralston, have, together with other citizens, associated for the purpose of worshiping Almighty God according to the faith and discipline of the PROTESTANT EPISCOPAL CHURCH OF THE UNITED STATES OF AMERICA; and have for that purpose formed a congregation near the Falls of Schuylkill, in North Penn Township, in the County of Philadelphia, and are now desirous to be incorporated, agreeably to the provisions of the Act of the General Assembly of Pennsylvania, entitled "An Act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law." They therefore declare the following to be the objects, articles, and conditions of their said association, agreeably to which they desire to be incorporated, viz:

ARTICLE I.

The name of the corporation shall be "THE RECTOR, CHURCH WARDENS, AND VESTRYMEN OF THE CHURCH OF SAINT JAMES THE LESS."

ARTICLE II.

This Church acknowledges itself to be a member of, and to belong to, the Protestant Episcopal Church in the State of Pennsylvania, and the Protestant Episcopal Church in the United States of America. As such, it accedes to, recognizes, and adopts the constitution, canons, doctrine, discipline, and worship of the Protestant Episcopal Church in the State of Pennsylvania, and of the Protestant Episcopal Church in the United States, and acknowledges their authority accordingly.

Any member of this Church or Corporation, who shall disclaim, or refuse conformity to, the said authority, shall cease to be a member of this Corporation, and shall not be elected, or vote in the election of Vestrymen, or exercise any office or function in, concerning, or connected with the said Church or Corporation.

ARTICLE III.

The rents and revenues of this Corporation shall be, from time to time, applied for the maintenance and support of the Rector, Ministers, and officers of the said Church, and in the erection and necessary repairs of the Church and churchyard, and parsonage house and other houses which now do or hereafter shall belong to the said Corporation, and to no other use and purpose whatsoever.

ARTICLE IV.

The said Corporation shall not, by deed, fine, or recovery, or by any other means, without the assent of the Convention of the Protestant Episcopal Church of the State of Pennsylvania, or of the Standing Committee of the Diocese, previously had and obtained, grant, sell, alien, or otherwise dispose of any lands, messuages, tenements, or hereditaments in them vested, nor charge nor encumber the same to any person or persons whomsoever.

ARTICLE V.

The Rector of this Church shall be elected by the Church Wardens and Vestrymen, in such manner as the statutes and By-Laws shall

ordain. The Vestry of the said Church shall consist of twelve persons, members of the said Church, who shall continue in office for one year and until others be chosen, and the election of such Vestry shall be made every year, on Easter Monday, by a majority of such members of the said Church as shall appear by the Vestry books to have paid, one successive year immediately preceding the time of such election, for a pew or sitting in the said Church: *Provided*, That until the next Easter Monday, after the expiration of five years from the date of this charter, members of the said Church, who shall in any way have contributed to the erection of the Church, or to the support of the Rector or Ministers thereof, shall be entitled to vote at the election of Vestrymen: *And provided*, That in case of the failure to elect Vestrymen on that day, the corporation shall not on that account be dissolved, but the election shall be holden on some other day; in such manner as the By-Laws may prescribe.

ARTICLE VI.

No person shall be the Rector or Assistant Minister of this Church unless he shall have had Episcopal Ordination, and unless he be in

full standing with the Protestant Episcopal Church of the State of Pennsylvania, and of the United States, and recognized as such by the Bishop of this Diocese, or, in case of a vacancy in the Episcopate, by the Standing Committee of the Diocese.

ARTICLE VII.

The said Vestry shall have full power to choose their own officers, and they shall annually, at their first meeting after their election, choose one of their own number to be one Church Warden, and the Rector for the time being shall elect another of the said Vestrymen to be the other Church Warden, of the said Church. In case of a vacancy in the office of Rector at the time of the election, the other Church Warden shall also be chosen by the Vestry, to remain until the election of a Rector or a new election of the Vestry. And during such vacancy the Church Wardens for the time being, and Vestrymen, shall have the same powers and authorities relating to the disposition of the rents and revenues of the said corporation as are hereby vested in the Rector, Church Wardens, and Vestrymen:

Philadelphia County, ss.

In the matter of the Incorporation of the Church of St. James the Less.

September 26th, 1846.

And now, it appearing to the Court that publication had been duly made, according to law, of notice of application for a charter of incorporation, and no sufficient cause being shown to the contrary, on the motion of George M. Wharton, Esq., the said Court does decree and declare that the persons associated in the above article shall become and be a corporation or body politic, in pursuance of the Act of Assembly in such case made and provided. That this order be endorsed on said instrument, and that the same be recorded in the office for recording deeds in this county.

SEAL

Certified from the Record, this twenty-sixth day of September, A. D. eighteen hundred and forty-six.

JOHN SMITH,
Prothonotary.

BY-LAWS

Adopted December 9th, 1918

ARTICLE I.

OF THE ELECTION OF VESTRYMEN, CHURCH WARDENS, SECRETARY, ETC.

SECTION 1. The annual election of Vestrymen, on Easter Monday, at 4 o'clock P. M., of which previous notice shall be given in the Church, shall be held on the premises. Two Judges of Election having been previously appointed by the Vestry, or if from any cause omitted by the Vestry, the Judges shall be appointed by the Wardens. The poll shall be kept open one hour, but the Judges shall have the power to keep the poll open a longer time when in their discretion necessary.

SEC. 2. All persons of lawful age, whose names are now inscribed on the register of this Church, or who shall have contributed, or may contribute, not less than fifty dollars in one sum to the Endowment Fund of said Church, and have been duly registered, at their request and with the consent of the Vestry, and all persons of lawful age who

shall contribute for an unassigned sitting not less than five dollars annually, and whose names shall hereafter be inscribed on said register, at their request and with the consent of the Vestry, shall be deemed members of the Church, and shall be entitled to vote at all elections by the members of the Church.

SEC. 3. The Vestrymen elected shall be notified by the Secretary of their election, and at the first stated meeting thereafter they shall choose from their number a Secretary, an Accounting Church Warden and the Deputies to the Diocesan Convention. They shall also appoint such other officers and employees as they may deem expedient, who shall serve during the pleasure of the Vestry.

ARTICLE II.

OF VESTRY MEETINGS.

SECTION 1. The stated meetings of the Vestry shall be held on the Thursday following their election and on the second Monday in February, May, October and December at some convenient place designated by the Vestry.

SEC. 2. Special meetings may be called by the Rector or by any two Vestrymen, notices

of which must specify the purpose, and no other business may be transacted.

SEC. 3. Notice of all meetings shall be sent to every member of the Vestry at least twenty-four hours before the time of meeting.

SEC. 4. Five members shall form a quorum, the determination of a majority of whom shall be as valid as if all the members of the Vestry were present: *Provided*, That no salary be increased at any meeting, unless the notice of such meeting shall contain the words "Increase of salaries to be proposed."

SEC. 5. At every meeting of the Vestry, the Rector, or, in his absence, one of the Church Wardens, shall preside.

SEC. 6. The order of business at a stated meeting shall be as follows:

The minutes of the previous meeting shall be read.
Reports of committees presented and order taken thereon.
Unfinished business taken up.
Communications received and considered.
Any other business may then be transacted.

SEC. 7. When a question is before the Vestry no motion shall be received unless to divide, amend, commit or postpone; but a motion to adjourn shall always be in order, and shall be decided without debate.

SEC. 8. No reconsideration of a vote shall be had, except on a motion made by a member who voted with the majority on the former question, or by one who had not previously voted.

SEC. 9. The yeas and nays shall be ordered and entered on the minutes if requested by any member.

SEC. 10. All elections shall be by ballot unless by unanimous consent, and a majority of votes present shall be necessary to an election.

SEC. 11. Every resolution shall be reduced to writing before it is considered.

SEC. 12. All matters requiring consideration shall be referred to the proper standing Committee. All Committees shall make written reports to the Vestry, at each stated meeting, of the work intrusted to their charge.

ARTICLE III.

OF THE DUTIES OF WARDENS, OFFICERS AND COMMITTEES.

Rector's Church Warden. The Rector's Church Warden shall have charge of the Communion Plate, and it shall be his duty to see that the Rector is provided with all things necessary

for the Services of the Church and the due Celebration of the Holy Sacraments.

Accounting Church Warden. The Accounting Church Warden shall be the Treasurer of the corporation unless otherwise ordered by the Vestry. He shall have the custody of the title-papers, seal, and account books of the corporation. He shall have charge of all the revenues of the corporation, which he shall deposit in one of the Banks or Trust Companies of the city of Philadelphia, to his credit, as Accounting Warden of the Church of St. James the Less, and shall disburse them under the orders of the Vestry, and in accordance with the By-Laws, and shall enter in a book, to be kept for the purpose, all sums received and paid by him, which book shall be open for the inspection of the Vestry. He shall pay the Rector and employees of the corporation their respective salaries or compensation, and for all payments made by him he shall take full and proper receipts, as his vouchers therefor. He shall render to the Vestry annual accounts of all receipts and disbursements, at the stated meeting in February.

Secretary. The Secretary shall keep regular minutes of the proceedings of the Vestry, notify the members of all its meetings, call special meetings when required, shall give to

the Chairmen of committees copies of the resolutions under which they have been appointed, together with the names of the other members of the same, and shall perform generally such duties as appertain to the office.

Treasurer of Burial Lot Trust Fund. Moneys given or bequeathed for the care of the Churchyard, or of particular lots therein, shall be invested only in legal securities in the name of the Rector, Church Wardens and Vestrymen of the Church of Saint James the Less, Burial Lot Trust Fund.

There shall be elected annually by the Vestry from its number a Treasurer of the Burial Lot Trust Fund, whose duty it shall be to collect and disburse the income arising from said fund in accordance with the terms of each specific trust.

Standing Committees. At the first stated meeting of the Vestry in each year, the following standing Committees, each consisting of three members, shall be appointed by the Rector with the approval of the Vestry.

1. *On Finance.* To exercise a general supervision of the finances, investments, legacies and trusts of the Corporation; to audit all accounts that may be referred to them. To prepare and submit to the December meeting of the Vestry

a budget of the estimated receipts and expenditures for the ensuing year.

2. *On Property.* To supervise and keep in good condition the real estate and buildings of the Corporation.

To supervise the Churchyard.

ARTICLE IV.

OF THE ELECTION OF MINISTERS.

No person shall hereafter be elected Rector of this Church unless nominated at a previous meeting, nor unless the notices for the meeting for which the election is to be moved shall express the object of the meeting, nor unless eight members of the Vestry be present, of whom at least seven shall be necessary for a choice. The same rule shall be applicable to the election of an Assistant Minister: *Provided*, That the approbation of the Rector shall always be necessary to render the election of an Assistant Minister valid.

ARTICLE V.

OF THE FABRIC OF THE CHURCH.

SECTION 1. The sittings of the Church shall be open to all who may choose to occupy them, whether they contribute or not; but only such

as are registered and do contribute shall vote for Vestrymen.

SEC. 2. No alteration in the fabric of the seats and furniture of the Church; and no erection of any monument, tablet, window or other device shall be made in the Church unless a full design thereof shall have been submitted to and approved by the Rector and Vestry.

ARTICLE VI.

OF REGISTRY OF MARRIAGES, BAPTISMS, CONFIRMATIONS AND DEATHS.

SECTION 1. A book shall be provided to be called the "Parish Record of the Church of Saint James the Less," to be kept in possession of the Rector, in which the Rector or Assistant Minister shall enter an account of all baptisms, confirmations, deaths and burials, the record to state the name of the child or adult baptized, and the names of the parents and sponsors; the name of every person confirmed; the date of marriage, and the names of the parties; the names and ages of persons buried; the number of lot, and date of interment.

SEC. 2. Certificates from the records, under seal, when required shall be given by the Rector or by one of the Wardens.

ARTICLE VII.

OF SUNDAY SCHOOLS.

There shall be Sunday Schools for the religious instruction of children, under the care of superintendents and teachers appointed by the Rector.

ARTICLE VIII.

OF THE USE OF THE CHURCH.

The Rector or either Warden may grant the use of the Church for the burial service of one about to be interred in the Churchyard: *Provided*, That unbaptized adults or excommunicated persons shall not be buried therein.

ARTICLE IX.

OF MINISTERS OFFICIATING.

No service shall be held at a funeral or otherwise by any minister other than one Episcopally ordained and of recognized good standing in the Protestant Episcopal Church.

ARTICLE X.

OF RIGHTS TO SEPULTURE.

SECTION 1. The Warden may sell rights of sepulture in the Churchyard and burial ground, and may execute certificates therefor under the corporate seal, subject to such conditions as the Vestry may prescribe.

SEC. 2. Any person, by paying such sum as may from time to time be fixed by the Vestry, may have the exclusive right of sepulture in a particular lot, as marked on a plan of the Churchyard authorized by the Vestry, reserved to his or her family and next of kin or any one he or she may approve, until, in the judgment of the Vestry, such lot will admit of no more interments. Such exclusive right of sepulture may be assigned, but only by consent of the Vestry and in their full and sole discretion; and all questions that may arise respecting the rights reserved in particular lots shall be referred to and determined by the Vestry.

SEC. 3. No fence, railing, hedge or separating line shall be placed around any lot; and no monument, structure, gravestone, or other device shall be erected or placed in the Churchyard unless the design therefor has

been previously approved by the Rector and Wardens.

SEC. 4. No vault shall be constructed without the express consent of the Vestry.

SEC. 5. No tree that has been planted or permanent improvement that has been made by the Vestry shall be removed or altered by any person unless by consent of the Vestry.

ARTICLE XI.

OF THE ENDOWMENT FUND AND BURIAL LOTS.

SECTION 1. The income only of the Endowment Fund shall be used.

SEC. 2. Moneys received from the sale of burial lots shall not be used for current expenses, but shall be kept in a separate account from the ordinary revenues of the Church, and shall be expended only for repairs of a permanent character. All sums not required for the above purposes shall be permanently invested as the Vestry may from time to time direct, and the income from such investments may then be used for current expenses.

ARTICLE XII.

OF AMENDMENTS.

No repeal or alteration of these By-Laws shall be made unless adopted by two-thirds of the members present (said repeal or alteration having been proposed at a meeting held not less than one week previously), the notices for the meeting having expressed that alterations in the By-Laws will be acted upon.